

# CORRESPONDENCE

## Increase in Mental Deficiency

### To the Editor, *Eugenics Review*

SIR,—I have been informed that certain representatives of this *Society*, when lecturing on sterilization, are alleged to have said that the Wood Committee stated in its Report that the incidence of mental deficiency had doubled in the last twenty years.

In order that there should be no misunderstanding upon this matter, I would like to draw the attention of those of your readers who speak on sterilization to how the Wood Committee has actually expressed itself in this connection.

It is well known that in the course of his investigation on behalf of the Wood Committee, Dr. E. O. Lewis found twice as many mental defectives in the areas he investigated as had been found by the investigators of the Royal Commission for the Care and Control of the Feeble-minded, whose Report appeared twenty years previously. A comparison of these findings, however, does not by itself justify the statement that mental deficiency *has*, in fact, doubled in the course of this period, and the Wood Committee were very careful to express themselves cautiously in summing up these findings. The following are the words they used :

“ We have considered with the greatest care all the evidence before us on the question whether mental deficiency is increasing. We recognise that the increase in the number of defectives found in our investigation is probably due in the main to more complete ascertainment; partly to the lowering of infant mortality and to the greater longevity of defectives consequent on improved hygienic conditions and the growth of health services; and partly also to a somewhat different interpretation of the standards. We recognise too that much careful and prolonged research is required before any final conclusion can be reached on this question. Nevertheless, after due allowance has been made for these and other considerations to which great weight must be attached, the facts that (1) our investigation revealed twice as many lower grade defectives as did that of the Royal Commission twenty years previously, (2) that the ratio of the different grades to each other remains the same in the two inquiries, and (3) that the disparity in the ascertained incidence in the urban and rural areas has been markedly increased—all these make it hard to believe that there has not been some increase in the incidence of mental deficiency during this period.”

Far from asserting that mental deficiency *has doubled* in the last twenty years, the Committee merely states that “ it is hard to believe that there has not been some increase in the incidence of mental deficiency during this period.”

It will, I think, be clear that various deductions can be made from a comparison of the figures of the two investigations. In fact, these deductions have ranged from the view that the increase is only apparent and that in fact there has been no increase in mental deficiency during this period (this view was held by a minority of persons who served on the Wood Committee itself), to the view that there has been a *real* increase corresponding to the *apparent* increase revealed in the figures.

It is open to private individuals to interpret the figures how they like, but it is clearly inaccurate to impute to the Wood Committee itself a view which it never expressed.

C. P. BLACKER,

*General Secretary.*

## The Physical Mechanism of the Human Mind

### To the Editor, *Eugenics Review*

SIR,—As the review of my book which appears in the October number of your journal contains a passage amounting almost to a charge of plagiarism (of some work unspecified), I should be glad if you would allow me space for the following statement.

Until I looked up your reviewer's name in the Medical Directory, I was unaware of the existence (if I may say so without discourtesy), either of Professor Berry, or of the book *Brain and Mind*, published by him in 1928. If that is the unspecified work referred to, it is unnecessary to add that I could not possibly be indebted to it in any way.

I have since obtained a copy of *Brain and Mind*, because I felt there must be a very great similarity between his work and mine to justify Professor Berry (to himself) in writing as he did. I can find no such similarity, other than might be expected in two works dealing with the same branch of science. We have both relied for neurological facts upon recognized authorities, but Professor Berry makes the most perfunctory allusion to the work of Pavlov, and, so far as one may judge from internal evidence, appears never to have heard of Lapique, whose work on the neural phenomena of chronaxy was published in 1910.

Professor Berry calls upon the “ pure psychologist ” to pass judgment on my work. I am quite willing that he should—provided he takes as much trouble to master the neurology as I

have taken to make myself familiar with the results of introspective analysis. Only a knowledge of both sides of the problem of psycho-neural correlation equips an investigator to offer a theory, or to judge one. My perusal of *Brain and Mind* leaves me very doubtful whether Professor Berry possesses this qualification.

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## The English Divorce Law

### To the Editor, *Eugenics Review*

SIR,—I have to thank you for the copy of the *EUGENICS REVIEW*, containing Dr. Worsley-Boden's review of my book *The Case Against the English Divorce Law* (pp. 235-7). I think I may say shortly that I consider it an honour that you should have chosen so learned an authority to review it, and also that he should have devoted such care and attention to it. I can, of course, do nothing but thank him for his kind commendations. I should like, however, to make some answer to his criticisms, premising in the first place that I consider them entirely fair.

As to his (1) I may point out that in summing up the result of *Apted v. Apted* (p. 110), I said that it would put the clock back, "though perhaps not quite to Victorian days." In this way I guarded my criticism. I may perhaps admit that the judges in divorce are now exercising their discretion with fair liberality, and only the other day Mr. Justice Bateson mildly told a woman petitioner, who apparently was still living with her paramour, that she ought to cease to do so and then come again. Under the old practice such leniency would have been unthinkable.

As to (2), I wrote my criticism on the *Ogden* case with full regard to the observations of Lords Phillimore, Dunedin, etc., in the *Von Lorang* case. The *Ogden* case, however, was not over-ruled, and would have to be followed by all Courts except the highest. I think a man with Lord Phillimore's views would find the problem much more difficult than people with wider outlook, and have no doubt that, if Parliament entrusted Dr. Worsley-Boden with the task of abolishing the absurdities and hardships of the law laid down in the *Ogden* case, he could accomplish it without much difficulty.

(3) The question of decency was only one of several in the *Russell* case, and, on re-reading the passage in the book, I do not think I have represented it as the sole one. The report of the case in the House of Lords is the best possible evidence that strong difference of legal opinion is possible on the point. I think Dr. Boden will agree, however, that, if the evidence of John Russell, which the House rejected, was true, the result of the case was an outrageous injustice to

him. I may say that, treating Lord Mansfield's doctrine as a 'minor absurdity' for the reason that it is so seldom invoked in the Divorce Court, I could hardly devote as much space to it as Dr. Boden suggests I should have.

As to contra-conception, with Mr. Bernard Shaw, I dislike it because it seems to me a waste and denial of life, but, in the present state of civilisation it is no doubt the lesser evil, and my book is ample evidence that I do not take the rigid Catholic view. I agree, of course, that abortion is far worse than contra-conception.

May I suggest, as an answer to Dr. Boden's proposition for divorce for too large a family, 'Nulla fit volenti injuria'? I remain, however, in his debt and yours for the notice of my book.

ALFRED FELLOWS.

### To the Editor, *Eugenics Review*

SIR,—I am glad to have seen Mr. Fellows' letter, to be able to thank him for his generous reception of my review of his book and to know that he does not regard my criticisms as unfair. Perhaps I may be allowed to make some brief observations under the headings wherein he follows those in my review.

(1) In spite of initial fears with which the rule following *Apted v. Apted* ([1930], P. 246) was received, there appears to be a general agreement, based on over two years' practice, that it is only in flagrant cases that a guilty petitioner suffers the unfavourable exercise of the discretion, provided that he or she complies with the rule.

(2) Here there is more to be said. When Lord Phillimore in *Salvesen's* case (or *Von Lorang's*, as Mr. Fellows prefers) ([1927] A.C. 641) described the problems in *Ogden's* case ([1908] P. 46) as 'almost insoluble,' I suggest that this was due, not to his personal prejudices, but to the actual state of the law. Given a free hand and freedom from precedent, of course it would not be difficult to reform the law to meet such a case as *Ogden's*.

Mr. Fellows holds that the law in *Ogden* still binds the Divorce Court and the Court of Appeal. But I think he will admit that the tendency of recent decisions is against those in *Ogden*, whether it be that of the Divorce Court in 1904 or that of the Court of Appeal in 1908. If *dicta* be admitted, I may perhaps be allowed to quote myself as having enumerated elsewhere four examples from three cases (*Attorney-General of Alberta v. Cook* [1926] A.C. 444; *Salvesen v. Administrator of Austrian Property* [1927] A.C. 641; and *Inverclyde v. Inverclyde* [1931] P. 29, the last being in the Divorce Court itself) wherein 'the decisions in *Ogden* have suffered criticism almost to the point of repudiation.'

But apart from these cases it would seem that